



# THE UNIVERSITY *of* EDINBURGH

## Edinburgh Research Explorer

### Oscar Slater

#### Citation for published version:

Baston, K 2012, 'Oscar Slater: Presumed Guilty' Signet Magazine: The Magazine of the Society of Writers to Her Majesty's Signet, no. 2, pp. 13-14.

#### Link:

[Link to publication record in Edinburgh Research Explorer](#)

#### Document Version:

Publisher final version (usually the publisher pdf)

#### Published In:

Signet Magazine: The Magazine of the Society of Writers to Her Majesty's Signet

#### Publisher Rights Statement:

© Baston, K. (2012). Oscar Slater: Presumed Guilty. Signet Magazine: The Magazine of the Society of Writers to Her Majesty's Signet, (2), 13-14.

#### General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

#### Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact [openaccess@ed.ac.uk](mailto:openaccess@ed.ac.uk) providing details, and we will remove access to the work immediately and investigate your claim.



CELEBRATING WILLIAM ROUGHEAD WS

60 YEARS OF THE ROUGHEAD COLLECTION AT THE SIGNET LIBRARY

# Oscar Slater: Presumed guilty

William Roughead's *The Trial of Oscar Slater* is one of his best known works. An account of Scotland's most notorious murder trial of the early 20th century, the book marked the beginning of Roughead's campaigning involvement in the fate of Oscar Slater. Roughead was among many leading figures who exposed the prejudice behind the original murder conviction in an era when there was no right of appeal in Scottish criminal cases.  
By Karen Baston.

**I**t was a murder case fit for Sherlock Holmes. On 21st December 1908 Miss Marian Gilchrist, an elderly lady with a desirable jewellery collection, was brutally beaten to death in her Glasgow flat. The only thing missing from Gilchrist's flat was a diamond brooch. There was no sign of forced entry into the carefully locked home and the rest of Gilchrist's possessions were left in place. Her maid had only been absent from the flat for about ten minutes. What was the motive and who had committed such a horrendous crime?

Police had little difficulty in identifying a suspect of questionable character. Oscar Slater had tried to sell a pawn ticket for a diamond brooch before travelling to New York via Liverpool on 26th December. His actions seemed suspicious to the police and, although he did not resemble the man described in eyewitness accounts, he became the prime suspect.

Slater, a German Jew, had moved to London in the 1890s. He soon developed a criminal record for an array of crimes including assault and he was a known associate of members of the criminal classes. He was in Scotland by the late 1890s but divided his time between Glasgow, London, and New York. Slater used a variety of aliases and addresses: he was known to police wherever he settled thanks to his involvement in gambling and other marginal activities. He also worked as a dentist and as a "Dealer in Diamonds and Precious Stones".

Slater was an ideal suspect and the police followed



Oscar Slater after his release. Roughead Collection, Signet Library.

him to New York. He returned to Scotland voluntarily to face trial for the murder of Marian Gilchrist in May 1909. Among those attending the trial, as was his custom, was William Roughead. Roughead noted the weakness of the prosecution's case which was mostly based on unreliable eyewitness accounts as well as the idea that Slater's trip to New York had been an attempt to evade the police. Slater's past history was also admitted as evidence. He was found guilty and sentenced to death. But not everyone was convinced of his guilt. Additional information soon came to light after sentence was passed and Slater's sentence commuted to life imprisonment.

Roughead was appalled by Slater's treatment during the trial. He published the *Trial of Oscar Slater* as one of his *Notable Scottish Trials* in 1910. This outlined his concerns about how evidence against Slater had been collected and about how the trial was conducted. The book was based on Roughead's notes from the trial: he also used the shorthand notes taken by a team of court clerks. There was no Scottish court of criminal appeal at the time so Slater was unable to have another day in court. However, Roughead's work on the case attracted interest. Sir Arthur Conan Doyle's version of events, based on Roughead's, appeared as *The Case of Oscar Slater* in 1912.

An inquiry into the Slater case took place in 1914 which explored evidence suppressed during the trial about another suspect: the Glasgow policeman John Thompson Trench, who had been involved in the original investigation, believed that one of Miss Gilchrist's relatives was guilty of the crime. The inquiry did not exonerate Slater - officials covered up the new information offered and accused Trench of corruption - but his cause continued to gain support. Roughead brought out a second edition of his book in 1915 which incorporated information from the inquiry.

The Glasgow journalist William Park wrote a new account, *The Truth About Oscar Slater*, in 1927. Park worked with Roughead and Conan Doyle and used Roughead's collection of papers to write his book. Roughead's copy, now in the Signet Library, is bound with letters from Conan Doyle and Park. Slater had by this time been in prison for nearly nineteen years. Park's book

caused outrage and the *Criminal Appeal (Scotland) Act 1927* was given retrospective powers so that the Slater case could be re-opened. Slater was released from Peterhead Prison in November 1927.

Roughead, Conan Doyle, and a legal team that included top criminal lawyer Craigie Aitchison prepared Slater's appeal. Roughead preserved his correspondence and newspaper reports about the Slater affair in a series of scrapbooks, now in the Signet Library's Roughead Collection.

“I watched Slater's face as... he strained every nerve in his anxiety... Not until the last words fell from his lordship's lips did the appellant realise that he had won the day.”

One of these has recently been digitalised for the WS Society by the National Archives of Scotland. This is titled “The Slater case. Being a consecutive narrative of the proceedings following the 1914 Inquiry, until the release of Oscar Slater and the quashing of his conviction by the High Court of Justiciary on 20th July 1928, with the subsequent payment made to him by Government, all as recorded in the contemporary newspaper press. Illustrated with original letters,

documents, and photographs”.

The *Daily News* credited Roughead, along with Conan Doyle, Park, and Trench, as “The Big Four of the Slater Case” (19 November 1927) whose efforts resulted in the case being reopened. The reporter described Roughead as the “most kindly, shrewd, and witty of men” and related that “one evening some weeks ago I found him busy with scissors and paste pot, and it appeared he was adding my articles to [an enormous collection of newspaper cuttings] – ‘for the benefit of posterity’”. This *Daily News* cutting appears in the Slater scrapbook described above.

Slater had a fresh trial in 1928. On 9th July 1928, Roughead acted as a witness based on his attendance at the original trial and the first edition of his book was used in court. He also gave evidence that the small hammer that Slater had used in his jewellery business could not have caused the horrific injuries that resulted in Gilchrist's death all those years earlier. Roughead recorded the dramatic moment when Slater learned the result of his appeal:

“I watched Slater's face as, leaning forward in his place, with his hand behind his ear, he strained every nerve in his anxiety to follow the low, rapid reading of the judgment; and as point after point was given against him, it was obvious that he believed his case lost. Not until the last words fell from his lordship's lips did the appellant realise that he had won the day”.

The Appeal Court found that the judge had misdirected the jury by failing to remind them that Slater's past should not be considered when making their verdict. Slater was not actually found innocent of the murder but the appeal verdict was one distinctive of the Scottish criminal justice system: not proven. He was awarded £6,000 as compensation from the government for the time he had spent in prison.

A fully updated third edition of *The Trial of Oscar Slater* appeared in 1929. Roughead continued collecting information about Slater in his scrapbooks and he published a fourth edition of *The Trial of Oscar Slater* in 1950 following Slater's death in 1948.



Telephone Cadnam 39.  
Nearest Station Totton.

Bignell Wood,  
Minstead,  
Lyndhurst.

Dear Mr Roughead

I shall be returning through  
Edinburgh this week end and shall be  
at the N. British Hotel. Could you dine  
on Monday night at 7.30? No dress.  
Send a line to the Hotel.

Yours sincerely

Arthur Conan Doyle.

Sept 7.

## The Slater Case:

Being a consecutive narrative of the  
proceedings following the 1914 digging  
until the release of Oscar Slater and  
the quashing of his conviction by the  
High Court of Justiciary on 20th  
July 1928, with the subsequent payments  
made to him by Government, all  
as recorded in the contemporary newspaper  
press.

Compiled by  
William Roughead, M.S.  
Editor of The Trial of Oscar Slater.

Illustrated with original letters, documents,  
and photographs.

Edinburgh:  
1929.

Great Scot!—XXXIV.

The Rt. Hon. the LORD ADVOCATE (Craigie Aitchison, K.C.)



The Labour chiefs may toast their tawse  
And vow to skip the loon,  
But murder's no' the trade it was  
Sin' Craigie's for the Croon.

The Roughead Collection at the Signet Library includes not only Roughead's book collection but also his scrapbooks and other papers. All his papers on the Oscar Slater trial have been digitalised in collaboration with the National Archives of Scotland.

This page:

Clockwise from the top: letter from Arthur Conan Doyle arranging to meet Roughead; Roughead's manuscript title page for his Slater record; cartoon of Craigie Aitchison after his appointment as Lord Advocate in 1929.

Next page:

Clockwise from the top: newspaper marks Slater's release from Peterhead Prison; photograph of Arthur Conan Doyle and Craigie Aitchison KC; Roughead's admission ticket for the 1928 trial; newspaper shows pathologist Dr Galt reviewing his records of the Slater case.

All from the Roughead Collection, Signet Library



# 18 YEARS of GRANITE HELL

## The Vindication of Oscar Slater

### CRAIGIE AITCHISON'S FOURTEEN-HOUR SPEECH



1909

Oscar Slater, an innocent man, was entombed behind the grey barriers of Peterhead.

It was to blame him to his light, and shine from an incompetent.

In 1925 a released convict carried a tiny scroll of paper, hidden under his tongue, to Conan Doyle, the novelist. It was a message from Slater, and read: "For God's sake, get me out of this hell."

The subsequent agitation for his



1927

He emerged, but the granite had entered into his soul.

Famous Scottish Doctor Tells His Secrets

## THE MISSING



DR GALT studies the records of his interesting cases.

## CLUE IN THE SLATER CASE

A KILMARNOCK lad, Dr Galt began as a chemist's assistant. Early in his career he became medico-legal examiner to the Crown, and played an important part in many famous criminal trials, including that of Oscar Slater. Here he tells how an important clue, which would have altered the whole aspect of the case, was overlooked in Slater's trial.

By DR HUGH  
MILLER GALT  
*Well-Known Pathologist*



Sir Arthur Conan Doyle, who has taken a keen interest in Slater's case, and Mr. Craigie Aitchison, K.C., leading counsel for Slater in the appeal.

Number

9

NOT

TRANSFERABLE.

Date

Friday 8<sup>th</sup> June 1928

HIGH COURT OF JUSTICIARY.

ADMIT BEARER.

STAMPS IN 20/1000 1000 500 N. & S. L.A. & S.S.